

MINUTES
UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY
UTAH WATER QUALITY BOARD MEETING
Cannon Health Building Room 101
288 North 1460 West
Salt Lake City, Utah 84116
January 16, 2004
9:30 a.m.

UTAH WATER QUALITY BOARD MEMBERS PRESENT

Rob Adams	Mayor Joe Piccolo
David Echols	Ron Sims
Neil Kochenour	Mayor Douglas Thompson
Jay Olsen	Ann Wechsler
	Bill Williams

DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT

Don Ostler, Walt Baker, Faye Bell, Karin Tatum, Rino Dicaldo, Ed Macauley, Tim Beavers, Gayle Smith, Mike George, Judy Etherington, Randy Taylor, Rob Herbert, Mark Schmitz, Sid Curnow, Peter Gessel

OTHERS PRESENT

<u>Name</u>	<u>Organization Representing</u>
Paul Summers	Montgomery Watson Harza Engineering
Lance Woods	CWSID
Scott Wright	HVSSD
Paul Wilson	Twin Creeks
Wilford R. Nielson	Country Estate
Terel Grimley	Pine View Water Systems
Neil G Anderton	Wasatch County Council
Paul Dremann	Trout Unlimited
Douglas Nielson	Sunrise Engineering Inc.
Alden C. Robinson	Sunrise Engineering Inc.
John C. Iverson	Sunrise Engineering Inc.
Don Worley	Mayor Fairview City
David V. Nuttall	Fairview City
Nancy Woodside	Fairview City

Chairman Williams called the Board meeting to order at 9:35 a.m. He welcomed those in attendance and invited the members of the audience to introduce themselves.

Introductions: Gayle Smith introduced Mike George, a former staff person who previously worked in the Monitoring Section, he's now working in the Permits & Compliance Section, filling the vacancy left by Nathan Guinn.

APPROVAL OF MINUTES OF THE DECEMBER 5, 2003 MEETING

Mr. Olsen noted on the first paragraph of page 4, on the last line where the sentence reads “value of (between 100% and 150%)”, should read “value of 150%”. Ms. Wechsler also requested to include in the motion “on page 3.10” for a \$1,640,000 loan for a term of 20 years at an interest rate of 3% to the North Fork Special Service District.

Note: Mayor Piccolo arrived at the meeting.

Motion: It was moved by Mr. Adams and seconded by Mr. Olsen to approve the minutes of the December 5, 2003 Board meeting with the noted corrections. The motion was unanimously approved.

Enforcement Action: Mr. Imbrogno explained to the Board that an enforcement action was taken against Intermountain Farmers Association (IFA) concerning discharges from the IFA animal feed and fertilizer distribution facility located in Lewiston City, Cache County, Utah. IFA agrees to pay a penalty of \$15,400 within 30 days to the State of Utah. IFA agrees to either” apply for a Utah Pollution Discharge Elimination System (UPDES) discharge permit and construct appropriate wastewater treatment facilities to meet effluent limitations, or will construct appropriate holding facilities to ensure that no discharge occurs from the facility in the future.

Rulemaking: Mr. Gessel referred the Board to Tab 3 of the Board packet, which explains the request to Initiate Rulemaking on CAFOs, R317-8. On February 12, 2003, the revised federal regulations for Concentrated Animal Feeding Operations went into effect. The revised regulations allow states until April 14, 2004 to adopt the federal changes into state regulations. We are undertaking the appropriate revisions in R317-8 at this time to ensure that Utah CAFO regulations continue to match federal regulations. Mr. Williams asked Mr. Gessel to highlight the top four or five changes and the effect it will have: 1) Nutrient management; 2) best management practices in the operations; 3) Effluent limitations are far more detailed and specific; 4) The old rule contained an exemption that said “if you only discharge in a 25 yr, 24 hr storm you don’t need to apply for a permit.” That exemption has been replaced by “no-potential to discharge” determination”, 5) other changes also include various provisions for alternative performance standards and more extensive record keeping. Mr. Gessel expects the impact to be rather minimal, since most of these features are already contained in the current CAFO permit.

Note: Ron Sims joined the meeting during the rulemaking presentation.

Motion: It was moved by Mr. Sims and seconded by Ms. Wechsler to approve staff’s request to proceed and initiate rulemaking on CAFO, R317-8. The motion was unanimously approved.

LOAN PROGRAM

Financial Assistance Status Report – Mr. Curnow updated the Board on the “Summary of Assistance Program Funds” as outlined on page 4.1.

Note: Mayor Thompson arrived at the Board meeting during Fairview City’s request.

Fairview City request for additional funding: Karin Tatum introduced Don Worley and Mayor, Nancy Woodside, of Fairview City, Alden Robinson and John Iverson with Sunrise Engineering. On December 6, 2002 the Water Quality Board authorized a \$1.6 million loan and a \$1.7 million Hardship Grant for a total project cost of \$7.5 million. Since that date, the cost of the project has increased by \$1.3 million.

Fairview is requesting an additional \$800,000 in a loan from the Board to assist in the construction of a wastewater collection and treatment system for the city. The city has already secured an additional \$500,000 from the CIB. The city and the citizens have agreed to the responsibility to repay the additional funding. Mr. Sims asked if this project could treat the wastewater to reuse quality, and if reuse is working well in other areas? Ms. Tatum said this project could produce effluent meeting Type I reuse standards, and that Type I reuse is currently being performed successfully by St. George, Central Valley WRF and Tooele City. Mr. Olsen asked if the new treatment facility will allow for future growth. Mr. Robinson responded that the treatment plant can be expanded several times over at the site. He added that they believe this is the best alternative to meet Fairview's needs. Mr. Olsen asked the Board if there was a way the Board could require a Ground Water Classification under special conditions? Mr. Ostler responded that the Ground Water Classifications that have been done were done at the initiative of the local communities and have not been tied to a loan offering before. The Board could require the classification as a condition of the loan, if there were sufficient problem and the community was willing to do the study. Usually the community realizes there's a ground water contaminator potential and desires to develop land use planning. Mr. Williams suggested that the topic of a ground water studies be discussed further during the work meeting. Mayor Thompson suggested the Board ask staff to write a letter to the San Pete County Commission, saying "in the course of this discussion it came to our attention that a ground water study would be of value and we offer our cooperation as a Board and staff".

Motion: **It was moved by Mr. Sims that the Board approve staff's recommendation to authorize a 30-year, 0% interest SRF loan in the amount of \$2,400,000 and a Hardship Grant in the amount of \$1,700,000 to Fairview City subject to the terms of the special conditions, including rescission of the Board's December 6, 2002 funding authorization. The motion was seconded by Mr. Piccolo and was unanimously approved with Mr. Olsen and Mr. Adams abstaining.**

Central Weber SID Planning Advance request – Mr. Beavers introduced Lance Woods, General Manager of CWSID, Paul Summers, with Montgomery Watson Harza Engineering and Terel Grimley with Pine View Water systems (PWS). Central Weber Sewer Improvement District (CWSID) is requesting an increase to its previously authorized Planning Advance in the amount of \$206,000 for a wastewater reuse feasibility study. An appraisal study concluded that reclaiming a portion of CWSID's effluent for reuse appears to be feasible and that an in-depth feasibility and pre-design study should be done. Staff recommends that CWSID be authorized an increase to its Planning Advance by \$206,000, to a total of \$226,000. Mr. Piccolo asked if the district has contributed funds towards this project. Mr. Beavers said that upon the conclusion of facility planning the proposed contribution of all parties will be identified.

Motion: **Dr. Kochenour moved that the Board approve staff's recommendation to grant Central Weber SID an additional \$206,000 Planning Advance until a municipal wastewater project is undertaken. The motion was seconded by Mr. Echols and was unanimously approved.**

Twin Creeks SSD, request for additional funding – Mr. Hanson introduced Wilford Nielson from Country Estate, Paul Berg with Sowby and Berg Consultants, Paul Wilson with Twin Creeks SSD and Neil Anderton with Wasatch County Council. On August 15, 2003 the Board approved a loan of \$418,000 and a hardship grant of \$45,000 to Twin Creeks SSD. The district is requesting additional funding assistance in the amount of \$69,000, resulting in a revised loan amount of \$487,000 and a Hardship Grant amount of \$45,000. The additional funds requested to add additional lateral connections, repair road shoulders that the county was originally to have handled and move the proposed sewer away from newly discovered utilities already in the roadway.

Motion: Ms. Wechsler moved that the Board approve staff's recommendation to authorize a 20-year, 0% interest loan in the amount of \$487,000 and a Hardship Grant in the amount of \$45,000 to Twin Creeks SSD subject to the terms of the special conditions, including rescission of the Board's August 14, 2003 funding authorization. The motion was seconded by Mr. Sims and was approved by the Board with Mr. Echols and Mr. Adams opposing.

OTHER BUSINESS:

2004 Appointments to the Operator Certification Council: Ms. Etherington explained that there are three members of the Operator Certification Council who have served three years and whose terms have expired. Those are, Jon Adams, representing certified operators; Gordon Champneys, representing the private sector; and Jeff Richens, representing municipal wastewater management. After soliciting recommendations from various water associations, universities and the League of Cities and Towns, the council recommends that Jeff Richens and Gordon Champneys be reappointed to fill the two vacancies representing wastewater management and the private sector. Staff also recommends that Neil Jones, of the Snyderville Basin Water Reclamation District, be appointed to serve as a representative of certified operators. These terms would begin immediately.

Motion: Mr. Adams moved that the Board approve staff's recommendation to approve the appointment of Jeff Richens, Gordon Champneys and Neil Jones to the Operator Certification Council. The motion was seconded by Mayor Piccolo and was unanimously approved.

Note: Mr. Echols left the room during the vote.

SRF FY 2003 Annual Report: Mr. Curnow presented the SRF FY 2003 Annual Report to the Board. The reports were included in the packet mailing.

NEXT MEETING

The next Water Quality Board meeting will be held on March 8, 2004 at 1:30 p.m. in the City of St. George Council Chambers, 175 East 200 North, St. George, Utah.

William Williams, Chairman

Located in:
Fbell/wp/donostler/wqb/wqb/Jan 16, 2003 WQB Minutes.doc